

SUMMARY OF PROPOSED VIDEO-GAMING RELATED REVISIONS TO THE DECATUR ALCOHOLIC BEVERAGE CODE

1. New language is shown with red colored type. Proposed additions are underlined and deletions are shown with ~~strike-outs~~.
2. Language has been inserted into the description of almost every license category to more clearly state whether a particular liquor license type allows or prohibits video gaming.
3. Additional language has been added to the definition of a “club” to limit the creation of new “clubs” that might seek to form primarily for the purpose of having video gaming. No existing “clubs” are adversely impacted by this change in language.
4. Video gaming was authorized to augment business plans of restaurants, taverns, or other business establishments. Except for gaming parlors and clubs, video gaming was never intended to be the primary revenue stream for a business. Consequently, all license categories except parlors and clubs must be able to prove that at least forty percent (40%) of their business revenues are derived from sources OTHER THAN video gaming, from and after July 1, 2024.
5. In addition to whatever liquor license category/class is assigned to an establishment, if they have video gaming, they will also be required to obtain a new (additional) license, called Class “V” on top of their normal liquor license. This will effectively increase the total license fees for liquor license establishments that have video gaming. There is no proposed fee increase for liquor establishments that DO NOT HAVE video gaming. Higher fees for currently licensed establishments with video gaming will not go into effect until the 2024 renewal period.
6. The number of liquor licenses for Class A, B and P businesses are currently capped. For Class A, B and P liquor licenses only, when an establishment closes, surrenders their license, or loses their license for liquor code violations, the number of authorized licenses will decrease AUTOMATICALLY, until the total number is at or under the cap (unless the City Council acts separately to allow an expired license to remain in use).
7. The definition of a restaurant for purposes of liquor license issuance has been revised so that convenience stores, mini-marts and gas stations cannot call themselves a restaurant just because they sell ready-to-eat food. Restaurants can have video gaming, but convenience stores with licenses to only make package sales of liquor cannot have video gaming.
8. Other than video gaming parlors, businesses with video gaming cannot be open only for the purpose of allowing video gaming; if they are open for business, then they must also provide all goods and services associated with their business. If food and beverages, or bowling, or entertainment, etc., is not available at a particular time, then video gaming cannot be available either.
9. No additional drive-up liquor sales sites are allowed from and after the date of adoption of the ordinance revisions. Existing drive-up window sales are grandfathered.
10. Ordinance language governing how liquor licenses can be transferred has been revised.